IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BILLY R. AGUILAR,	)	**CASE NO. 4:12CV3155**
	)	
Petitioner,	)	
	)	
v.	)	**MEMORANDUM**
	)	**AND ORDER**
ATTORNEY GENERAL OF THE	)	
STATE OF NEBRASKA,	)	
	)	
Respondent.	)	

This matter is before the court on its own motion. On September 12, 2012, the court entered a Memorandum and Order provisionally filing this matter but requiring Petitioner to either file a motion for leave to proceed in forma pauperis or pay the $5.00 filing fee no later than October 11, 2012. (Filing No. 3.) The court warned Petitioner that failure to comply with its Memorandum and Order would result in dismissal of this matter without further notice. (*Id.*) Petitioner has not paid the $5.00 filing fee or filed any other response to the court's previous Memorandum and Order. (*See* Docket Sheet.) On the court's own motion Petitioner shall have until November 19, 2012, to show good cause or excusable neglect for his failure to comply with the court's September 12, 2012, Memorandum and Order.

IT IS THEREFORE ORDERED that:

1. Petitioner shall have until November 19, 2012, to show good cause or excusable neglect for his failure to comply with the court's September 12, 2012, Memorandum and Order; and

2. The Clerk of the court is directed to set a pro se case management in this case with the following text: November 19, 2012: check for response.

DATED this 23rd day of October, 2012.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge

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